

REMARKS

In the above-identified Office Action, the Examiner has objected to claims 31, 32, 41, 42, 46 and 47 as being in improper form. Applicant notes that this objection is incorrect and requests that it be withdrawn.

In addition, claims 26, 28, 29, 30, 38, 40, 41 and 46 have been rejected as being unpatentable over Kato in view of Kolls. Applicant notes that under the Examiner's rejection, Kato provides the general idea of a vending machine while Kolls, as stated in the Action, teaches a method and system for remote authorization of a transaction at a vending machine, comprising validating the transaction at a remote location, approving a customer and activating the vending machine. Neither Kato nor Kolls teaches the concept of the invention as now claimed, which is a method and system for the promotion of the sale of products and services through the vending machine. Thus, this method and system does not come into action until after the sale of a product, contrary to both of Kato and Kolls which take their action prior to the sale of a product.

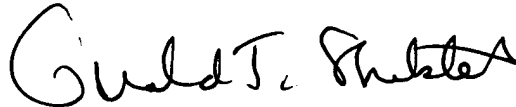
Further, both Kato and Kolls both concern the act of authorizing a transaction that is about to happen, and do not suggest or teach, singly or in combination, the award of points at the vending machine after a purchase at the vending machine and offering a potential premium to the user at the vending machine. Thus, the subject invention counts points and relays them to a central processor which totals and manages the points and then presents the amount of points to the user of the vending machine along with potential premiums i.e., products and services which might be procured by the user based on the points which have been stored and managed. Applicant has amended the claims to better reflect this concept and the distinction over both Kato and Kolls; as such, Applicant believes amended claims 26 and 36 to be allowable.

Claims 33-35 and 43-45 have been rejected under 35 USC §103(a) as unpatentable over Kato in view of Kolls and further in view of Deaton et al. In so far as these claims are each dependent upon claims 26 and 36 respectively, Applicant believes that they incorporate the allowable features discussed above and accordingly, should also be allowable.

Applicant hereby requests reconsideration and re-examination thereof.

With the above amendments and the remarks, this application is considered ready for allowance, and Applicant earnestly solicits an early notice of same. Should the Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, he is respectfully requested to call the undersigned attorney at the telephone number listed below.

Respectfully submitted,
WELSH & KATZ, LTD.



Gerald T. Shekleton
Registration No. 27,466

Dated: **April 19, 2006**
WELSH & KATZ, LTD.
120 South Riverside Plaza
22nd Floor
Chicago, Illinois 60606-3912
Telephone: (312) 655-1500
Facsimile: (312) 655-1501